

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Father and Mother Doe,

Plaintiffs,

v.

West Alton Marina, LLC; John Murray; Brian  
Fortier; Dierdre Tibbetts; and Allyson Shea,

Defendants.

Civil Action No.:

**NOTICE OF REMOVAL**

NOW COME Defendants West Alton Marina, LLC and Brian Fortier ("Defendants"), with consent of Co-Defendants John Murray, Dierdre Tibbetts and Allyson Shea, hereby file this Notice of Removal pursuant to 28 U.S.C. §§ 1441 and 1446, and, in support thereof, state as follows:

1. On April 20, 2022, Plaintiffs Father and Mother Doe ("Plaintiffs") filed a Complaint and Jury Demand against Defendants in Belknap County New Hampshire Superior Court. The action is entitled *Father Doe, et al. v. West Alton Marina, LLC, et al.*, Civil Action No. 211-2022-CV-00049.

2. The complaint includes claims of sexual harassment and hostile work environment sex-based discrimination under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* (1964) ("Title VII").

3. This Court has original jurisdiction over those claims pursuant to 28 U.S.C. § 1331.

4. The remaining claims arise out of the same facts and this Court has supplemental jurisdiction over those claims pursuant to 28 U.S.C. § 1367.

5. Accordingly, this claim is removable under 28 U.S.C. § 1441(c) because this Court

has original federal question jurisdiction under 28 U.S.C. § 1331 and supplemental jurisdiction over the remaining claims pursuant to 28 U.S.C. § 1367.

6. Defendants are timely removing this action in accordance with 28 U.S.C. § 1446(b). Defendants first received a copy of the First Amended Complaint upon being served with process on or about May 6, 2022. The thirtieth day following service of the First Amended Complaint on Defendants is June 5, 2022. *See* 28 U.S.C. § 1446(b)(2)(B). By operation of Fed. R. Civ. P. 6(a)(1)(C) and Local Rule 6.1, the deadline for timely removal is June 6, 2022.

7. Venue is appropriate in the District of New Hampshire, pursuant to 28 U.S.C. § 1441(a) because Belknap County, the place where the action is pending, is located in the District of New Hampshire. *See* 28 U.S.C. § 109.

8. A copy of the Second Amended Complaint is attached as Exhibit 1.

9. A copy of all process, pleadings, and orders served upon Defendants is attached as Exhibit 2.

10. Pursuant to 28 U.S.C. § 1446(d), Defendants will promptly give notice of this filing to Plaintiffs and Co-Defendants and will file a copy of this Notice of Removal with the clerk of the New Hampshire Superior Court of Belknap County.

11. Pursuant to 28 U.S.C. § 1446(b)(2)(A), Co-Defendants John Murray, Dierdre Tibbetts and Allyson Shea, through their respective counsel, consent to the removal of this matter.

12. Defendants reserve the right to amend or supplement this Notice of Removal.

WHEREFORE, Defendants respectfully request that this Second Amended Complaint be removed to the United States District Court for the District of New Hampshire.

Respectfully submitted,

West Alton Marina, LLC  
Brian Fortier  
By Their Attorneys:  
SHAHEEN & GORDON, P.A.

Dated: June 3, 2022

By: /s/ William E. Christie  
William E. Christie (N.H. Bar No. 11255)  
Shaheen & Gordon, P.A.  
107 Storrs Street  
P.O. Box 2703  
Concord, NH 03302  
(603) 225-7262  
wchristie@shaheengordon.com

**CERTIFICATE OF SERVICE**

I hereby certify that on this 3rd day of June, 2022, I conventionally served the foregoing on all counsel of record via electronic mail and first-class mail:

/s/ William E. Christie  
William E. Christie